

Victoria police chief calls for law to shield kids from violence

Canada needs to recognize impact on children, city police chief says

By Lindsay Kines, timescolonist.com June 2, 2011



**Victoria police Chief Jamie Graham:
Proposing new law to protect children
from trauma of witnessing violence.**

Photograph by: Debra Brash, timescolonist.com

Canada needs to recognize the devastating impact of domestic violence on children by making it an added criminal offence to commit an assault in the presence of a child, Victoria's police chief says.

Jamie Graham plans to ask the Canadian Association of Chiefs of Police in August to press for a criminal code amendment that protects children from witnessing violence.

He also wants the association to back changes that would force people convicted of domestic violence to pay the costs of counselling for children who witnessed the attack.

“If this just shines a light on this problem, that would be a bit of a success,” Graham said. “But I think this is a legitimate law to bring forward.”

Graham noted there is compelling research showing that children who witness violence can suffer severe emotional and developmental problems. In some cases, they can mature into abusers themselves unless they receive appropriate counselling.

More than 20 jurisdictions in the United States already have laws against committing violent acts in the presence of a child. The wording of the offences varies, but the penalties are often harsher than for domestic violence without a child present.

Graham said a similar law in Canada would give police another tool to deal with family violence, while focusing more attention on an urgent social issue.

A 1999 survey on victimization found that children heard or saw one parent assault another in 461,000 households over the preceding five years, Statistics Canada reports.

“I don’t think the current law recognizes the phenomenal volume of research that’s been done up to now that highlights this problem,” Graham said.

His proposal builds on the Victoria police department’s ongoing domestic violence work. The department spearheaded the creation of a regional domestic violence unit after a 2007 Oak Bay murder-suicide in which Peter Lee killed his wife, six-year-old son, two in-laws and himself.

Representative for Children and Youth Mary Ellen Turpel-Lafond, whose report on the Lee case urged improvements to the way B.C. deals with domestic violence, said Graham’s call for a new law deserves consideration.

“I’m really gratified for the leadership he’s shown around the issue of domestic violence,” she said.

Turpel-Lafond, a judge, said Graham’s proposed law has the potential to get help for children in cases where a mother refuses to pursue charges against her spouse. In such instances, there may be still be sufficient evidence of violence to encourage the family to deal with its issues and get counselling for the children.

Tracy Porteous, executive director of the Ending Violence Association, commended Graham for continuing to seek ways to better protect women and children. But she said her organization wants to do more research before endorsing the proposal.

Porteous said one of her concerns is that women, who are most often the victims of domestic violence, might be inadvertently harmed by a new law. “Is it possible that somebody somewhere is going to say, ‘Well, she should be charged because she won’t leave, and that she continues to expose her kids to this violence?’ ” Porteous said.

Carolyn Fast of the Victoria Women’s Transition House Society had yet to see Graham’s proposal, so was unable to comment on its specifics. But she thought the idea of making offenders pay for counselling was “creative” and potentially beneficial. The society runs a program for children who witness abuse, and sees first hand the difference it makes in kids’ lives, Fast said.

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